

PCDocs47990

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Joseph W. Lyding et al.

Serial No. 09/160,657

Filed: September 25, 1998

SEMICONDUCTOR DEVICES, AND  
METHODS FOR SAME

Before the Examiner

M. Guerrero

Group Art Unit 2822

May 6, 1999

TERMINAL DISCLAIMER  
APPROVED  
DPL  
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See Page 2TERMINAL DISCLAIMERAssistant Commissioner for Patents  
Washington, D.C. 20231  
Sir:

#10

Petitioner, the Board of Trustees of the University of Illinois., is owner of one hundred percent (100%) interest in the instant application, U. S. Patent Application Serial No. 09/160,657, filed on September 25, 1998, for SEMICONDUCTOR DEVICES, AND METHODS FOR SAME, as evidenced by the assignment from the inventors recorded in the U.S. Patent and Trademark Office at Reel No. 9338, Frame No. 0351. To the best of Petitioner's knowledge and belief, title to the application is in the Petitioner.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173, as presently shortened by any terminal disclaimer, of U. S. Patent No. 5,872,387, issued February 16, 1999, entitled DEUTERIUM-TREATED SEMICONDUCTOR DEVICES. Petitioner agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U. S. Patent No. 5,872,387

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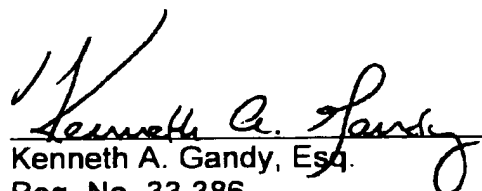
are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of U. S. Patent No. 5,872,387, in the event that such patent: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned, Kenneth A. Gandy, is an attorney of record for both the instant application and the issued patent referenced above and is empowered and authorized to act on behalf of the Petitioner in making this Terminal Disclaimer.

The Patent Office is authorized to charge the fee of \$110.00 required by 37 C.F.R. §1.20(d), and to charge any deficiency or apply any overpayment credit, to Deposit Account No. 23-3030.


Date: May 7, 1999

  
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